

STATE OF SOUTH CAROLINA  
BEFORE THE PUBLIC SERVICE COMMISSION  
DOCKET NO. 2019-224-E

In the Matter of:	)	
	)	
South Carolina Energy Freedom Act	)	<b>PETITION TO INTERVENE OUT</b>
(House Bill 3659) Proceeding	)	<b>OF TIME</b>
Related to S.C. Code Ann. Section	)	
58-37-40 and Integrated Resource	)	
Plans for Duke Energy Carolinas,	)	
LLC	)	

The Sierra Club and Natural Resources Defense Council (“NRDC”) (collectively, “Petitioners”), through counsel, hereby petition the Public Service Commission of South Carolina (“Commission”), pursuant to R. 103-825 of the Commission’s rules, to intervene out of time in the above-captioned docket. In support of this petition, Petitioners state as follows:

1. On September 1, 2020, Duke Energy Carolinas, LLC (“DEC”) filed its 2020 Integrated Resource Plan (“IRP”) with the Commission. DEC is an investor-owned utility that is regulated by the Commission. S.C. Code Ann. § 58-3-140. The Commission regulates and supervises DEC as to, among other things, its rates, services, facilities, and practices. *Id.*; see also R. 103-810 of S.C. Code of Regs. (citing S.C. Code Ann., §§ 58-27-10 et seq.). DEC’s rates, services, facilities, and practices are relevant to, and in part a function of, the development of its IRP. DEC must prepare IRPs, file them with the Commission every three years, and update them on an annual basis. See S.C. Code §§ 58-37-10 and 58-37-40 and Commission Order Nos. 1998-502 and 2010-124.

2. The Sierra Club is a nonprofit conservation organization incorporated in California. It currently represents almost 800,000 dues-paying members nationwide and approximately 6,920 dues-paying members in South Carolina. The Sierra Club's mission is to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. In furtherance of this mission, the Sierra Club and the Sierra Club's South Carolina Chapter work to accelerate the transition from dirty fuels like coal and gas to clean energy solutions like solar, wind and energy efficiency, and advocates for state and federal policies and industry action to achieve this transition. The Sierra Club has a long history of working to reduce air pollution from coal-fired power plants and to promote clean energy sources in the Southeast. The address of the Sierra Club's principal office in South Carolina is 1314 Lincoln Street, Columbia, South Carolina 29201.

3. NRDC is a national environmental organization with over 30 years' experience working on state energy policy, including utility regulation and energy efficiency. NRDC, and its members in South Carolina who receive electricity service from electric utilities regulated by the Commission, have a strong interest in ensuring that South Carolina adopts environmentally sound and sustainable energy policies. NRDC works to promote renewable energy and to advocate for the passage and implementation of clean energy standards and other policies that expand the market for wind and solar power. NRDC also works to promote energy efficiency and conducts research, partners with manufacturers, and advocates for policies that create dramatic energy savings. Likewise, NRDC encourages states to fully account for efficiency potential when they

forecast whether they need new power plants or transmission lines in order to avoid costly infrastructure and lower customers' bills. NRDC has headquarters at 40 West 20th Street, New York, New York 10011 and also has a Southeast office in Asheville, North Carolina.

4. Petitioners and their members have a direct and substantial interest in the Integrated Resource Plans ("IRPs") of South Carolina electric utilities. Petitioners and their members are interested in promoting greater reliance on energy efficiency and renewable energy by electric utilities in South Carolina. Moreover, Petitioners' members who receive electricity service at their homes and businesses from the utilities operating in our state will be affected by decisions made by the utilities in their resource planning processes—and by the Commission in this and future related proceedings, such as new plant certifications and rate cases.

5. Petitioners recognize that the Commission directed parties to file a Petition to Intervene on or before December 15, 2020. Petitioners are represented by the Southern Environmental Law Center in the 2020 DEC IRP proceeding currently underway before the North Carolina Utilities Commission ("NCUC"). NCUC Docket No. E-100, Sub 165. The Southern Environmental Law Center, through undersigned counsel, currently represents the Southern Alliance for Clean Energy ("SACE"), South Carolina Coastal Conservation League ("CCL"), and Upstate Forever in the above-captioned proceeding. To advance their particular interests in South Carolina, Petitioners wish to also intervene in the above-captioned proceeding before the Commission. If Petitioners are allowed to intervene, the Southern Environmental Law Center, through undersigned counsel, would

jointly represent SACE, CCL, Upstate Forever, Sierra Club, and NRDC. Petitioners plan to participate in the evidentiary hearing if permitted to intervene.

6. Petitioners are represented by the following counsel in this proceeding:

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7. Petitioners' intervention will not delay this proceeding or prejudice existing parties. On February 2, 2021, counsel for all other existing parties indicated that they would have no objection to this request.

WHEREFORE, Petitioners pray that they be allowed to intervene out of time in this matter.

Respectfully submitted this 3rd day of February, 2021.

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**CERTIFICATE OF SERVICE**

I certify that the following persons have been served with one (1) copy of Petition to Intervene by electronic mail or U.S. First Class Mail at the addresses set forth below:

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This the 3rd day of February, 2021.

s/ A. Rachel Pruzin